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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BRENT MORRIS,

Petitioner,

10 vs.

11 RENEE BAKER, *et al.*,

12 Respondents.

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Case No. 3:14-cv-00444-LRH-WGC

ORDER

15 This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254
16 by a Nevada state prisoner.

17 Petitioner has filed a motion for the appointment of counsel. (ECF No. 5). Pursuant to 18
18 U.S.C. § 3006(a)(2)(B), the district court has discretion to appoint counsel when it determines that
19 the “interests of justice” require representation. There is no constitutional right to appointed counsel
20 for a federal habeas corpus proceeding. *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987); *Bonin v.*
21 *Vasquez*, 999 F.2d 425, 428 (9th Cir. 1993). The decision to appoint counsel is generally
22 discretionary. *Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir. 1986), *cert. denied*, 481 U.S. 1023
23 (1987); *Bashor v. Risley*, 730 F.2d 1228, 1234 (9th Cir.), *cert. denied*, 469 U.S. 838 (1984). The
24 petition on file in this action is well-written and sufficiently clear in presenting the issues that
25 petitioner wishes to bring. The issues in this case are not complex. Counsel is not justified in this
26 instance.

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1 On January 29, 2015, respondents filed an answer and exhibits, and served the same on
2 petitioner. (ECF Nos. 11-14). If petitioner wishes to file a reply to the answer, he shall do so within
3 45 days from the date of entry of this order.

4 **IT IS THEREFORE ORDERED** that petitioner's motion for the appointment of counsel
5 (ECF No. 5) is **DENIED**.

6 **IT IS FURTHER ORDERED** that, if petitioner wishes to file a reply to the answer, he
7 shall do so within **forty-five (45) days** from the date of entry of this order. Thereafter, this matter
8 will be submitted for decision.

10 DATED this 3rd day of February, 2015.

Larry R. Hicks
LARRY R. HICKS
UNITED STATES DISTRICT JUDGE